

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Paul Birkmeyer et al.

Application No.: 10/708,721

Filed: March 19, 2004

Entitled: SPINAL FIXATION ELEMENTS AND
METHODS

Docket No.: 101896-240 (DEP5278)

Group Art Unit: 3733

Examiner: James L. Swiger III


Certificate of Mailing (37 C.F.R. 1.8(a))

I hereby certify that this correspondence is being electronically filed via EFS-Web to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date set forth below.

July 10, 2006

Date of Signature and Mail Deposit

By:


Lisa Adams, Reg. No: 44,238
Attorney for Applicant(s)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

This communication is in response to the Office Action dated June 26, 2006.

The Examiner requires restriction of the above-referenced application to one of the following inventions:

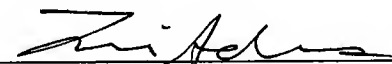
Group I: claims 1-13, drawn to a spinal implant; and

Group II: claims 14-29, drawn to a method.

Applicants elect the Group II claims (claims 14-29). Accordingly, claims 1-13 are withdrawn from consideration.

Respectfully submitted,

Date: July 10, 2006


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